



**State Senator
Kirk Watson
District 14**

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FOR IMMEDIATE RELEASE

CONTACT: Kate Alexander, Office of Senator Kirk Watson: (512) 463-0114

The following is a statement from Sen. Watson regarding the Nominations Committee vote on Secretary of State David Whitley:

The Secretary of State of Texas is our state's Chief Election Officer and his most important job is to protect citizens' right to vote. Just yesterday, a federal court made clear that the nominee before us today failed in that job — whether intentionally or not — when his office engaged in a process involving inaccurate data that was used to intimidate tens of thousands of legitimate voters.

The court found that "perfectly legal naturalized Americans were burdened with what the Court finds to be ham-handed and threatening correspondence from the state which ... exemplifies the power of government to strike fear and anxiety and to intimidate the least powerful among us."

The court also described the Secretary of State's recent efforts as "a solution looking for a problem" and noted "the Secretary has resisted plaintiffs' legal concerns as opposed to entering into an agreed solution precluding further fear and intimidation."

When Secretary Whitley came before us three weeks ago, we already knew that the advisory his office sent to the counties and his immediate referral of people to the Office of the Attorney General for criminal investigation and prosecution contained highly inaccurate information. And so I asked Secretary Whitley if he would ask the counties and the AG to cease all enforcement activity until the information could be investigated and corrected. He wouldn't make that commitment.

Well, yesterday a federal court found that "Though promising more transparency, the Secretary has resisted" the legal concerns of those worried that citizens will be purged from voter rolls and that he has not entered "into an agreed solution precluding further fear and intimidation."

Three weeks later, the Secretary hasn't withdrawn his advisory. He hasn't engaged in a media effort to counter the vitriolic media flurry that bolstered his conduct by saying he'd uncovered illegal registrations and that there was a need for a voter fraud alert. Three weeks later, the Secretary has not engaged in material and substantive action. Instead, the court noted that it "heard compelling evidence concerning confusing and contradictory communications from the Secretary of State."

And so, just yesterday, the Court ordered a stop. Specifically, the court ordered local officials not to remove anyone from the registration list unless and until authorized by the court. The court also ordered Secretary Whitley to tell counties not to send any notice of examination letters or remove voters from

the rolls without the court's prior approval with a conclusive showing that the person is ineligible to vote.

This should not have required court intervention and the next step is how will our state react to this federal intervention.

Here we are, senators with a duty to assure our state does not deny people equal protection of the laws. Senators with a duty to protect the right to vote. Senators with a duty under our constitution to advise and consent in the appointment of powerful people capable of creating fear and anxiety and to intimidate the least powerful among us.

Here we are, only one day after a federal court had to intervene and order the Secretary of State to do something to protect Americans' right to vote and to stop actions that could cause Americans to not vote. And the very next day, this committee is prepared to endorse his confirmation to the highest election post in our state.

I cannot support his confirmation.

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